

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ERIE

GMAC MORTGAGE, LLC (SUCCESSOR
BY MERGER TO GMAC MORTGAGE
CORPORATION),

Plaintiff,

-vs-

ATTORNEY'S
AFFIRMATION

MATTHEW JAMES GEHRKE; BERNISE
LYNN GEHRKE A/K/A BERNISE LYNN
ADIMEY-GEHRKE A/K/A BERNISE LYNN
ADIMEY; CHARTER ONE, A DIVISION OF
RBS CITIZENS, N.A.;

Defendants.

Index No.
602256/2012

STATE OF NEW YORK)
COUNTY OF MONROE) ss:

Your affiant being duly sworn deposes and says:

1. I am an attorney duly admitted to practice law in the State of New York, and am an associate in the law firm FEIN, SUCH and CRANE, LLP, attorneys for the plaintiff herein.
2. This affirmation is made in support of your affiant's application for attorney's fees in the above-captioned mortgage foreclosure proceeding.
3. Your affiant has performed or will perform the following services relative to the herein mortgage foreclosure action:
 - a. Review original file, including mortgage(s) and note(s), credit application, appraisal report, abstract of title, bank notes, etc. .75 hr
 - b. Obtain redated abstract and review same. .5 hr
 - c. Prepare and file index number and Lis Pendens, prepare Summons and Complaint and file same. 2.0 hrs
 - d. Arrange for Service of Complaint on defendants, monitor service record service completion and track default dates .75 hr
 - e. Prepare attorney's Affidavit of Regularity, Order of Reference,

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|--|-------------------|
| Referee's Oath, Bill of Costs and client's Affidavit of Merit. | 1.5 hrs |
| f. Receive and review Oath and Report of Amount due. Prepare Judgment of Foreclosure and Sale, forward same to client. | 1.75 hrs |
| g. Prepare affirmation of service by mail, Notice of Foreclosure, Terms of Sale. | .75 hr |
| h. Arrange for publication of sale. | .5 hr |
| i. Prepare Referee's Deed, Referee's Report of Sale and Statement of Sale. | .75 hr |
| j. Arrange for sale of property. | .75 hr |
| k. Prepare order confirming referee's report of sale and forward to Court. | .5 hr |
| l. Miscellaneous communication with client, Supreme Court, and referee. | .5 hr |
| m. Miscellaneous accounting chores. | 1.0 hrs |
| TOTAL | 12.0 hours |


4. Your affiant has been admitted to the practice of law since March, 2011, and concentrates in the collection of unpaid debts. Your affiant's customary usual fee for services rendered is \$150.00 per hour.

5. Based upon the foregoing, your affiant requests an attorney's fee allowance in the above-captioned matter in the sum of \$1,800.00.

6. Paragraph 21, Line 8 of the Mortgage sets forth the Plaintiff's right to seek attorney's fees in the event of foreclosure.

7. The undersigned affirms under penalty of perjury that the foregoing statements are true.

Dated: June 26, 2013


Craig R. Beideman, Esq.